



Senate

General Assembly

File No. 488

February Session, 2018

Substitute Senate Bill No. 502

Senate, April 12, 2018

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist. and SEN. MCLACHLAN, M. of the 24th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) Notwithstanding any provision
2 of the general statutes, the Commissioner of Administrative Services
3 shall convey to the town of Newington two parcels of land located in
4 the town of Newington, at a cost equal to the administrative costs of
5 making such conveyance. Said parcels of land have a total area of
6 approximately 28.8 acres and are identified as a portion of a larger
7 parcel that contains the former Cedarcrest Hospital, Lot 000 in Block 10
8 on town of Newington Assessor's Map 12, and further identified as the
9 preservation parcel and conveyance parcel on a map of the
10 Department of Energy and Environmental Protection entitled
11 "Potential Land Transfer, Former Cedarcrest Hospital, Newington and
12 Wethersfield", dated October 3, 2013. The conveyance shall be subject
13 to the approval of the State Properties Review Board.

14 (b) The town of Newington shall use said parcels of land for passive
15 recreation purposes. If the town of Newington:

16 (1) Does not use said parcels for said purposes;

17 (2) Does not retain ownership of all of said parcels; or

18 (3) Leases all or any portion of said parcels,

19 the parcels shall revert to the state of Connecticut.

20 (c) The State Properties Review Board shall complete its review of
21 the conveyance of said parcels of land not later than thirty days after it
22 receives a proposed agreement from the Department of Administrative
23 Services. The land shall remain under the care and control of said
24 department until a conveyance is made in accordance with the
25 provisions of this section. The State Treasurer shall execute and deliver
26 any deed or instrument necessary for a conveyance under this section,
27 which deed or instrument shall include provisions to carry out the
28 purposes of subsection (b) of this section. The Commissioner of
29 Administrative Services shall have the sole responsibility for all other
30 incidents of such conveyance.

31 Sec. 2. (*Effective from passage*) Notwithstanding a certain restriction
32 contained in a Quit Claim Deed from the State of Connecticut,
33 Highway Commissioner to the town of Stratford, dated August, 1968,
34 and recorded in the Town of Stratford Land Records in Volume 445,
35 pages 670 to 672, inclusive, that the parcel of land described in said
36 deed shall be used for "school purposes only", said restriction may be
37 released, relinquished and have no further force and effect, the town of
38 Stratford may use or convey said parcel free of said restriction and the
39 parcel may be used for municipal parking purposes.

40 Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of
41 the general statutes, the Commissioner of Education shall grant to the
42 town of Groton an easement of land located in the town of Groton, at
43 no cost. Such easement is approximately 75 feet in width and is
44 identified as a portion of the parcel identified as Lot 9261E in Block 6

45 on Town of Groton's Assessor's Map 260809, and further described as
46 follows: Extending at its northern limit from the property line between
47 the Ella T. Grasso Technical High School and land now or formerly of
48 the town of Groton, known as Sutton Park, at Fort Hill Brook,
49 proceeding south-south easterly approximately 850 feet, turning east-
50 north easterly for approximately 60 feet to the property line between
51 the Grasso property and land now or formerly of the town of Groton,
52 known as the Merritt property, with an increased width of 180 feet or
53 as necessary to permit grading of the land to accommodate the
54 driveway extending into the Merritt property. The easement shall be
55 subject to the approval of the State Properties Review Board.

56 (b) The town of Groton shall use said easement for the purpose of
57 vehicular and utilities access to a middle school, and associated site
58 improvements. If the town of Groton:

59 (1) Does not use said easement for said purposes;

60 (2) Does not retain ownership of all said easement; or

61 (3) Leases all or any portion of said easement,

62 the easement shall revert to the state of Connecticut.

63 (c) Said easement shall be granted (1) subject to the right of the state
64 to (A) pass and repass over and on said easement of land for the
65 purpose of accessing lands of the state, and (B) place and maintain
66 over, under and on said easement of land existing and future utilities,
67 including, but not limited to, electrical, water, sanitary sewer,
68 telecommunications and gas, and (2) subject to any rights and
69 easements with regard to said easement of land that the state deems
70 necessary to meet its governmental obligations.

71 (d) The State Properties Review Board shall complete its review of
72 the conveyance of said easement of land not less than thirty days after
73 it receives a proposed agreement from the Department of Education.

74 Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of

75 the general statutes, the Commissioner of Transportation shall convey
76 to the town of Portland a parcel of land located in the town of
77 Portland, and any improvement upon said parcel, at no cost. Said
78 parcel of land has an area of approximately 7.29 acres and is identified
79 as Lot 35 in Block 00 on Portland Assessor's Map 011 and further
80 identified in a deed dated April 7, 1987, and recorded in Volume 198 at
81 page 102 of the town of Portland Land Records. Said parcel was
82 transferred to the Department of Transportation by the Department of
83 Environmental Protection pursuant to section 1 of special act 87-98.
84 The conveyance shall be subject to the approval of the State Properties
85 Review Board.

86 (b) The town of Portland shall use said parcel of land and any
87 improvements on said parcel for recreational and tourism purposes. If
88 the town of Portland:

89 (1) Does not use said parcel or improvements for said purposes;

90 (2) Does not retain ownership of all of said parcel or improvements;
91 or

92 (3) Leases all or any portion of said parcel or improvements,

93 the parcel and improvements shall revert to the state of Connecticut.

94 (c) The State Properties Review Board shall complete its review of
95 the conveyance of said parcel of land and improvements not later than
96 thirty days after it receives a proposed agreement from the
97 Department of Transportation. The land and any improvements shall
98 remain under the care and control of said department until a
99 conveyance is made in accordance with the provisions of this section.
100 The State Treasurer shall execute and deliver any deed or instrument
101 necessary for a conveyance under this section, which deed or
102 instrument shall include provisions to carry out the purposes of
103 subsection (b) of this section. The Commissioner of Transportation
104 shall have the sole responsibility for all other incidents of such
105 conveyance.

106 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of
107 the general statutes, the Commissioner of Developmental Services
108 shall convey to the town of Stratford a parcel of land located in the
109 town of Stratford and any improvements upon said parcel, at a cost
110 equal to the fair market value of the property and improvements, as
111 determined by the average of the appraisals of two independent
112 appraisers selected by the commissioner, plus the administrative costs
113 of making such conveyance. Said parcel of land has an area of
114 approximately ___ acres and is identified as the parcel containing the
115 former Ella T. Grasso Center. The conveyance shall be subject to the
116 approval of the State Properties Review Board.

117 (b) The State Properties Review Board shall complete its review of
118 the conveyance of said parcel of land and improvements not later than
119 thirty days after it receives a proposed agreement from the
120 Department of Developmental Services. The land shall remain under
121 the care and control of said department until a conveyance is made in
122 accordance with the provisions of this section. The State Treasurer
123 shall execute and deliver any deed or instrument necessary for a
124 conveyance under this section. The Commissioner of Developmental
125 Services shall have the sole responsibility for all other incidents of such
126 conveyance.

127 Sec. 6. Section 9 of special act 01-6 is amended to read as follows
128 (*Effective from passage*):

129 (a) Notwithstanding any provision of the general statutes, the
130 Commissioner of Transportation shall convey to the town of South
131 Windsor three parcels of land located in the town of South Windsor, at
132 a cost equal to the administrative costs of making such conveyance.
133 Said parcels of land are identified as (1) the subject parcel in a
134 warranty deed from Henry G. Chung Et Al, to the State of Connecticut,
135 recorded in Volume 620, Page 379 of the town of South Windsor Land
136 Records, and further described as the parcel of land identified as
137 "Release Area" on a map entitled "Compilation Plan, Town of South
138 Windsor, Map Showing Land Released to the Town of South Windsor

139 by The State of Connecticut, Department of Transportation, Buckland
140 Road, Scale 1" = 20', July 1998, James F. Byrnes Jr., P.E. Chief Engineer -
141 Bureau of Engineering and Highway Operations, Town No. 132, Proj.
142 No. 132-100, Serial No. 5A, Sheet 1 of 1", which parcel has an area of
143 approximately .44 acre, (2) a portion of the land on town of South
144 Windsor Tax Assessor's Maps 27-13 and 27-14, which is further
145 described as the parcel of land identified as "Release Area" on a map
146 entitled "Compilation Plan, Town of South Windsor, Map Showing
147 Land Released to the Town of South Windsor by The State of
148 Connecticut, Department of Transportation, Buckland Road, Scale 1" =
149 20', James F. Byrnes Jr., P.E. Chief Engineer - Bureau of Engineering
150 and Highway Operations, Town No. 132, Proj. No. 132-100, Serial No.
151 6A, Sheet 1 of 1", which parcel has an area of approximately .94 acre,
152 and (3) the subject parcel in a warranty deed from Ronald A. Phenix Et
153 Al, to the State of Connecticut, recorded in Volume 627, Page 85 of the
154 town of South Windsor Land Records and the subject parcel in a quit
155 claim deed from Thomas C. O'Connor Et Al, to the State of
156 Connecticut, recorded in Volume 620, Page 502 of the town of South
157 Windsor Land Records, and further described as the parcel of land
158 identified as "Release Area" on a map entitled "Compilation Plan,
159 Town of South Windsor, Map Showing Land Released to, by The State
160 of Connecticut, Department of Transportation, Buckland Road, Scale 1"
161 = 20', Aug. 2000, James F. Byrnes Jr., P.E. Chief Engineer, Bureau of
162 Engineering and Highway Operations, Town No. 132, Proj. No. 132-
163 100, Serial No. 17A, Sheet 1 of 1", which parcel has an area of
164 approximately .74 acre. The conveyance shall be subject to the
165 approval of the State Properties Review Board.

166 (b) (1) The town of South Windsor shall use said parcels of land for
167 open space or storm water management and infrastructure
168 improvement purposes, or may sell all or any portion of said parcels of
169 land to a purchaser who shall use such land for economic development
170 purposes. Any such sale shall be made at a cost equal to the fair market
171 value of the land as determined by the average of the appraisals of two
172 independent appraisers who shall be selected by the Commissioner of
173 Transportation. Such cost shall be subject to the approval of such

174 commissioner, said town and the purchaser. [All moneys received by
175 the town of South Windsor from any such sale shall be paid promptly
176 to the State Treasurer and deposited in the Special Transportation
177 Fund.]

178 (2) If, in the case of any such parcel, the town of South Windsor (A)
179 does not use the parcel for open space or storm water management
180 and infrastructure improvement purposes, (B) does not retain
181 ownership of all of the parcel, except for a sale of all or any portion of
182 the parcel for economic development purposes in accordance with
183 subdivision (1) of this subsection, or (C) leases all or any portion of the
184 parcel, the parcel shall revert to the state of Connecticut.

185 (c) The State Properties Review Board shall complete its review of
186 the conveyance of said [parcel] parcels of land not later than thirty
187 days after it receives a proposed agreement from the Department of
188 Transportation. The land shall remain under the care and control of
189 said department until a conveyance is made in accordance with the
190 provisions of this section. The State Treasurer shall execute and deliver
191 any deed or instrument necessary for a conveyance under this section,
192 which deed or instrument shall include provisions to carry out the
193 purposes of subsection (b) of this section. The Commissioner of
194 Transportation shall have the sole responsibility for all other incidents
195 of such conveyance.

196 Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of
197 the general statutes, the Commissioner of Transportation shall convey
198 to the town of Cheshire three parcels of land located in the town of
199 Cheshire and any improvements on said parcels, at a cost equal to the
200 administrative costs of making such conveyance. Said parcels of land
201 have a total area of approximately 48.07 acres and are identified as
202 Lots 31, 32 and 33 on town of Cheshire Tax Assessor's Map 4. The
203 conveyance shall be subject to the approval of the State Properties
204 Review Board.

205 (b) The town of Cheshire shall use said parcels of land and
206 improvements for economic development and municipal purposes. If

207 the town of Cheshire:

208 (1) Does not use said parcels or improvements for said purposes;

209 (2) Does not retain ownership of all of said parcels or
210 improvements; or

211 (3) Leases all or any portion of said parcels or improvements,

212 the parcels and improvements shall revert to the state of Connecticut.

213 (c) The State Properties Review Board shall complete its review of
214 the conveyance of said parcels of land and improvements not later
215 than thirty days after it receives a proposed agreement from the
216 Department of Transportation. The land shall remain under the care
217 and control of said department until a conveyance is made in
218 accordance with the provisions of this section. The State Treasurer
219 shall execute and deliver any deed or instrument necessary for a
220 conveyance under this section, which deed or instrument shall include
221 provisions to carry out the purposes of subsection (b) of this section.
222 The Commissioner of Transportation shall have the sole responsibility
223 for all other incidents of such conveyance.

224 Sec. 8. (*Effective from passage*) Notwithstanding the provisions of
225 section 21 of public act 00-168 and a certain restriction contained in a
226 quit claim deed from the state of Connecticut, Treasurer, to the New
227 Milford Affordable Housing, Inc., dated September 14, 2000, and
228 recorded in the town of New Milford Land Records in Volume 647, at
229 page 147, that the parcel of land described in said deed and the
230 buildings on it shall revert to the state if sold or leased, the state of
231 Connecticut shall release all right of reverter stemming from such sale
232 or lease, provided said property is used for affordable housing
233 purposes. The Treasurer shall execute and deliver a quit claim deed
234 containing provisions to release said right of reverter in accordance
235 with this section and include said restriction.

236 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of
237 the general statutes, the Commissioner of Transportation shall convey

238 to the New Haven Port Authority two parcels of land located in the
 239 city of New Haven, at a cost equal to the fair market value of the
 240 properties, as determined by the average of the appraisals of two
 241 independent appraisers selected by the commissioner, plus the
 242 administrative costs of making such conveyance. The first parcel of
 243 land has an area of approximately .55 acre and is identified as 135
 244 Fulton Terrace, at Lot 1200 in Block 955 on city of New Haven
 245 Assessor's Map 69. The second parcel of land has an area of
 246 approximately .14 acre and is identified as 54 Edgemere Road, at Lot
 247 1100 in Block 955 on city of New Haven Assessor's Map 69. Both
 248 parcels are further identified as the parcels of land described in
 249 Department of Transportation File Number 92-932-37A. The
 250 conveyance shall be subject to the approval of the State Properties
 251 Review Board.

252 (b) The State Properties Review Board shall complete its review of
 253 the conveyance of said parcels of land not later than thirty days after it
 254 receives a proposed agreement from the Department of
 255 Transportation. The land shall remain under the care and control of
 256 said department until a conveyance is made in accordance with the
 257 provisions of this section. The State Treasurer shall execute and deliver
 258 any deed or instrument necessary for a conveyance under this section.
 259 The Commissioner of Transportation shall have the sole responsibility
 260 for all other incidents of such conveyance.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	SA 01-6, Sec. 9
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Resources of the General Fund	GF - See Below		
Resources of the Special Transportation Fund	TF - See Below		
Department of Energy and Environmental Protection; Department of Developmental Services	GF - Loss of Asset	See Below	See Below
Department of Transportation	TF - Loss of Asset	See Below	See Below

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect
Newington	See Below
Stratford	See Below
Portland	Gain of Asset
South Windsor	Potential Revenue Gain
Cheshire	See Below
New Milford	Potential Revenue Gain
New Haven	See Below

Explanation

The bill grants easements to or conveys certain parcels of state land. Each new conveyance represents a loss of a state asset. Payment for each of these conveyances and easements are detailed below.

Section 1 of the bill conveys two parcels of land, which collectively represent 28.8 acres of land, to Newington from the Department of Energy and Environmental Protection. The bill specifies that Newington pay for administrative costs. The state would lose use of an

asset valued at \$57,600.

Section 2 of the bill removes a use restriction in 1968 conveyance to Stratford and has no fiscal impact.

Section 3 of the bill grants an easement to Groton and has no fiscal impact.

Section 4 of the bill conveys a 7.29 acre parcel of land to the town of Portland from the Department of Transportation. The transaction would result in an expense of the administrative costs to the Department of Transportation and a loss of an asset. There is no cost to the town of Portland, which would gain use of the asset.

Section 5 of the bill conveys a parcel of land to Stratford from the Department of Developmental Services. The bill specifies that Stratford pay the fair market value of the property and administrative costs to the state. The transaction would result in a one-time revenue gain and a loss of state asset appraised at \$15,000. Likewise, there would be a one-time cost and asset gain of the same amount to the city of Stratford.

Section 6 of the bill removes a restriction from a 2001 conveyance to South Windsor that requires that proceeds of the sale of the specified property go to the state. There is a potential loss of revenue to the state of the appraised value of the property (\$465,000 appraisal in 2001), and a commensurate preclusion of loss of revenue to South Windsor.

Section 7 of the bill conveys three parcels of land, which collectively represent 48.07 acres of land, to Cheshire from the Department of Transportation. The bill specifies that Cheshire pay for the administrative costs of the transaction. The transaction would result in a loss of state assets and a gain of assets to the city of Cheshire.

Section 8 of the bill removes a restriction from a 2000 conveyance to New Milford that requires that proceeds of the sale of the specified property go to the state. There is a potential loss of revenue to the state of the appraised value of the property, and a commensurate preclusion

of loss of revenue to New Milford.

Section 9 of the bill conveys two parcels of land, which collectively represent 0.69 acres of land, to New Haven from the Department of Transportation. The bill specifies that New Haven pay the fair market value of the property and administrative costs to the state. The transaction would result in a one-time revenue gain and a loss of state asset appraised at \$169,600. Likewise, there would be a one-time cost and asset gain of the same amount to New Haven.

The land conveyances in sections 1, 3, 4, 5, 7, and 9 above are subject to the review and approval of the State Properties Review Board.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the terms negotiated for each conveyance.

OLR Bill Analysis**sSB 502****AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.****SUMMARY**

This bill:

1. authorizes conveyances of state property in the towns of Newington, Portland, Stratford, Cheshire, and New Haven;
2. amends prior conveyances of state property in Stratford, South Windsor, and New Milford; and
3. requires the State Department of Education (SDE) to grant an easement in Groton.

EFFECTIVE DATE: Upon passage

§§ 1, 4-5, 7, & 9 — NEW CONVEYANCES

As described in Table 1, the bill authorizes the following conveyances of state property from the departments of administrative services (DAS), developmental services (DDS), and transportation (DOT) to the towns and entity listed and for the purposes and costs noted.

Table 1: New Conveyances

Section	Town/Entity	Agency	Description/Purpose	Cost
1	Newington	DAS	Two parcels (part of larger parcel including former Cedarcrest Hospital), 28.8 acres, for passive recreation	Administrative costs
4	Portland	DOT	7.29 acres (including improvements), for recreational and tourism	No cost

			purposes	
5	Stratford	DDS	Parcel of unspecified acreage containing the former Ella T. Grasso Center	Fair market value, as determined by averaging the appraisals of two independent appraisers selected by the DDS commissioner, plus administrative costs
7	Cheshire	DOT	Three parcels (including improvements) totaling 48.07 acres, for economic development and municipal purposes	Administrative costs
9	New Haven Port Authority	DOT	Two parcels in New Haven, 0.55 acre at 135 Fulton Terrace and 0.14 acre at 54 Edgemere Road	Fair market value, as determined by averaging the appraisals of two independent appraisers selected by the DOT commissioner, plus administrative costs

Each conveyance is subject to the State Properties Review Board's (SPRB) approval within 30 days after the board receives the agency's proposed agreement. Each property remains under the state agency's care and control until the conveyance is completed. The state treasurer must execute and deliver any necessary deed or instrument to complete the conveyances.

Except as noted below, the conveyances revert to the state if the recipient (1) does not use the property for the specified purposes, (2) does not retain ownership of the entire property, or (3) leases all or part of it. The Stratford and the New Haven parcels are not subject to reversion (§§ 5 & 9).

§§ 2, 6, & 8 — AMENDED CONVEYANCES

Stratford (§ 2)

The bill amends a conveyance by quit claim deed, recorded in 1968, of a parcel from DOT (formerly the Highway Department) to Stratford. It removes the restriction that the property be used exclusively for school purposes. (Under existing law, the property reverts to the state

if used for any other purpose.)

South Windsor (§ 6)

The bill amends a conveyance, passed in 2001, of three parcels (totaling 2.12 acres) from DOT to South Windsor for open space or storm water management and infrastructure improvement purposes or to sell for economic development purposes. It allows the town to keep the proceeds from any sale for economic development purposes, instead of remitting them to the Special Transportation Fund.

It also makes a technical change to the 2001 special act to correct a singular parcel reference.

New Milford (§ 8)

The bill amends a conveyance, passed in 2000, of a 0.51 acre parcel from DOT to New Milford Affordable Housing, Inc. for affordable housing purposes. It allows the sale or lease of the property as long as the property continues to be used for affordable housing. (Existing law reverts the conveyance to the state if sold or leased.) The bill requires the state treasurer to execute and deliver a quit claim deed containing the revised provisions.

§ 3 — GROTON EASEMENT

The bill requires the commissioner of education to convey to Groton an easement next to Ella Grasso Technical High School for no cost. Groton must use the easement for vehicular and utility access (i.e., a driveway) to a middle school.

The easement is subject to the following:

1. the state's right to (a) pass and repass over and on the easement to access state lands and (b) place and maintain over, under, and on the easement utilities, including electrical, water, sanitary sewer, telecommunications, and gas, and
2. any rights and easements regarding the easement that the state deems necessary to meet its governmental obligations.

The bill requires the SPRB approve the conveyance at least 30 days after receiving a proposed agreement from SDE.

The easement reverts to the state if the town (1) does not use it for the specified purposes, (2) does not retain ownership of the easement, or (3) leases all or part of it.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/28/2018)